

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF CALIFORNIA

FILED
DEC 12 AM 9:03

UNITED STATES OF AMERICA

v.

ASGARD ASSOCIATES, LLC

JUDGMENT IN A CRIMINAL CASE

(For Organizational Defendants)

DEPUTY

CASE NUMBER: 12CR2905-L

EUGENE IREDALE

Defendant Organization's Attorney

☐

THE DEFENDANT ORGANIZATION:

☒ pleaded guilty to count(s) ONE (1) OF THE INFORMATION☐

was found guilty on count(s) _____

after a plea of not guilty.

Accordingly, the defendant organization is adjudged guilty of such count(s), which involve the following offense(s):

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Count Number(s)</u>
42 USC 6928(d)(2)(A)	UNLAWFUL STORAGE OF HAZARDOUS WASTE	1

The defendant organization is sentenced as provided in pages 2 through 4 of this judgment.

The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

☐ The defendant organization has been found not guilty on count(s) _____☐ Count(s) _____ is ☐ are ☐ dismissed on the motion of the United States.☒ Assessment: \$400☒ No fine☐ Forfeiture pursuant to order filed _____, included herein.

IT IS ORDERED that the defendant organization shall notify the United States Attorney for this district within 30 days of any change of name, principal business address, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant organization shall notify the court and United States Attorney of any material change in the organization's economic circumstances.

DECEMBER 3, 2012

Date of Imposition of Sentence

[Signature]
HON. M. JAMES LORENZ
UNITED STATES DISTRICT JUDGE

12CR2905-L

DEFENDANT ORGANIZATION: ASGARD ASSOCIATES, LLC
CASE NUMBER: 12CR2905-L

PROBATION

The defendant organization is hereby sentenced to probation for a term of:

THREE (3) YEARS.

MANDATORY CONDITION

☒ The defendant organization shall not commit another federal, state or local crime.

☒ If this judgment imposes a fine or a restitution obligation, it shall be a condition of probation that the defendant organization pay any such fine or restitution.

☒ The defendant organization shall comply with the standard conditions that have been adopted by this court (set forth below). The defendant organization shall also comply with the additional conditions on the attached page.

STANDARD CONDITIONS OF SUPERVISION

- 1) within thirty days from the date of this judgment, the defendant organization shall designate an official of the organization to act as the organizations's representative and to be the primary contact with the probation officer;
- 2) the defendant organization shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 3) the defendant organization shall notify the probation officer ten days prior to any change in principal business or mailing address;
- 4) the defendant organization shall permit a probation officer to visit the organization at any of its operating business sites;
- 5) the defendant organization shall notify the probation officer within seventy-two hours of any criminal prosecution, major civil litigation, or administrative proceeding against the organization;
- 6) the defendant organization shall not dissolve, change its name, or change the name under which it does business unless this judgment and all criminal monetary penalties imposed by this court are either fully satisfied or are equally enforceable against the defendant's successors or assignees;
- 7) the defendant organization shall not waste, nor without permission of the probation officer, sell, assign, or transfer its assets.

DEFENDANT ORGANIZATION: ASGARD ASSOCIATES, LLC
CASE NUMBER: 12CR2905-L



SPECIAL CONDITIONS OF SUPERVISION

1. Provide complete disclosure of personal and business financial records to the probation officer as requested.
2. Asgard employee Michael Conrad perform 240 hours of community service within the three year term of probation.
3. The defendant be required to notify the Collections Unit of the U.S. Attorney's Office of any interest in property obtained after the execution of the plea agreement until the restitution is paid in full, and to notify the Collection Unit before the defendant and guarantors transfer any interest in property during the period of probation

DEFENDANT: ASSGARD ASSOCIATES, LLC (1)
CASE NUMBER: 12CR2905-L

RESTITUTION

The defendant shall pay restitution in the amount of \$176,411.68 unto the United States of America.

This sum shall be paid _____ immediately.
 x as follows:

Pay restitution in the amount of \$176,411.68 through the Clerk, U.S. District Court, to the following victims in the amounts specified, payable forthwith, with the payment of any remaining balance to be made during a term of probation at the rate of \$3,000 per month. Distribution of restitution to the victims is to be on a pro rata basis.

San Diego County Department of
Environmental Health Services,
Hazardous Materials Division
P.O. Box 12961
San Diego, CA 92112-9261

United States Environmental Protection Agency \$167,718.68
Superfund Payments
Cincinnati Finance Center
SSID 09WG, Roselle Mad Chemist
P.O. Box 979076
St. Louis, MO 63197-9000

The Court has determined that the defendant does have the ability to pay interest. It is ordered that:

The interest requirement is waived.

The interest is modified as follows: